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8  
9 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. *2013-809*

12 **LUIS A. CERVANTES**  
13 **13294 Wimberly Sq. Unit 225**  
14 **San Diego, CA 92027**

**A C C U S A T I O N**

15 **Registered Nurse License No. 609583**

16 Respondent.

17  
18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
21 official capacity as the Executive Officer of the Board of Registered Nursing, Department of  
22 Consumer Affairs.

23 2. On or about November 20, 2002, the Board of Registered Nursing issued Registered  
24 Nurse License Number 609583 to Luis A. Cervantes (Respondent). The Registered Nurse  
25 License was in full force and effect at all times relevant to the charges brought herein and will  
26 expire on September 30, 2014, unless renewed.

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1 **CAUSE FOR DISCIPLINE**

2 (Unprofessional Conduct)

3 8. Respondent is subject to disciplinary action under Code section 2761(a)(1) for  
4 unprofessional conduct in the care and treatment of patient A.M. when he failed to perform a  
5 physical assessment of the patient while she was in the Emergency Department and for falsifying  
6 records by documenting in the patient's medical record that he took her medical history and  
7 examined her, when he did not. The circumstances are as follows:

8 9. On December 8, 2010, Respondent was employed as a registered nurse at Pomerado  
9 Hospital.

10 10. On or about December 8, 2010, at approximately 8:05 p.m., patient A.M. arrived at  
11 the Pomerado Hospital Emergency Department seeking medical care for a knee injury.

12 11. On December 8, 2010, at approximately 9:11 p.m., Respondent made entries in  
13 patient A.M.'s medical chart that he assessed and examined her, however Respondent did not  
14 speak to or examine the patient while she was in the Emergency Department. Respondent  
15 recorded information in patient A.M.'s medical record that was false, by charting he took her  
16 medical history, conducted a tuberculosis screen and examined her when he did not.

17 12. Respondent failed to perform a physical assessment of patient A.M. while she was in  
18 the Emergency Department, which was required pursuant to Pomerado Hospital's protocol.

19 **PRAYER**

20 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
21 and that following the hearing, the Board of Registered Nursing issue a decision:

22 1. Revoking or suspending Registered Nurse License Number 609583, issued to Luis A.  
23 Cervantes;

24 2. Ordering Luis A. Cervantes to pay the Board of Registered Nursing the reasonable  
25 costs of the investigation and enforcement of this case, pursuant to Business and Professions  
26 Code section 125.3; and

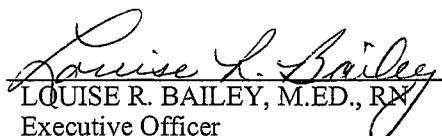
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3. Taking such other and further action as deemed necessary and proper.

DATED: March 20, 2013

  
LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
*Complainant*

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